



340096



matlack, inc.
pipeline on wheels[®]

ONE ROLLINS PLAZA, P.O. BOX 8789, WILMINGTON, DE 19899 / 800-MATLACK

March 21, 1994

**CERTIFIED - RETURN
RECEIPT REQUESTED**

Sherry L. Estes, Esquire
Office of Regional Counsel
U.S. EPA - Region V
77 W. Jackson Street
Chicago, Illinois 60604-3590

**RE: Stickney Avenue Landfill and
Tyler Street Dump (the "Facility")**

Dear Ms. Estes:

This letter is to update my letter to you dated January 19, 1994. Attached to that letter were three affidavits from Matlack officials relating to the relationship you have alleged that Matlack had with Vallet Paint. As I noted in that letter, I had confirmed with counsel to Vallet Paint, Shane Farolino, Esquire, that his client did not handle, transport, store or dispose of any waste materials from Matlack.

Mr. Farolino has informed me that he recently forwarded certain information to you, including several affidavits of former Vallet Paint employees.

In virtually every one of these affidavits, there is a statement similar to the following:

"To the best of my knowledge, information and belief, Vallet Paint neither instructed nor permitted its delivery drivers to pick up waste materials from any of its customers for disposal at the landfill [the Dura Avenue Landfill]. During my employment with Vallet Paint, I never picked up waste materials from any Vallet Paint customer for disposal."

The above was excerpted from the affidavit of Robert Cairns, dated February 16, 1994.

Sherry L. Estes, Esquire
Page 2
March 21, 1994

In light of this information, I would like to request yet again that you produce evidence of Matlack's alleged connection to the Stickney Avenue Landfill or Tyler Street Dump. If no such evidence exists, I would ask that you have Matlack's name deleted from the PRP list.

Please also be advised that I have yet to receive a response to the appeal which I initiated under FOIA.

As with my prior correspondence, please make this letter a copy of the administrative record in this matter. Thank you.

Very truly yours,

Klaus M. Belohoubek
Assistant General Counsel

KMB/gmh

1612

cc: ✓ Mr. Thomas Barounis
Ms. Wendy L. Carney
Shane Farolino, Esq.